

104TH CONGRESS
1ST SESSION

H. R. 1666

To amend the Act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore to permit certain persons to continue to use and occupy certain areas within the lakeshore, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 1995

Mr. STUPAK introduced the following bill; which was referred to the
Committee on Resources

A BILL

To amend the Act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore to permit certain persons to continue to use and occupy certain areas within the lakeshore, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT OF ACT ESTABLISHING SLEEPING**
4 **BEAR DUNES NATIONAL LAKESHORE.**

5 (a) EXTENSIONS.—Section 10 of the Act of October
6 21, 1970, establishing the Sleeping Bear Dunes National
7 Lakeshore (84 Stat. 1079; 16 U.S.C. 460x-9) is amended
8 by adding the following new subsection at the end thereof:

1 “(e) EXTENSIONS OF USE AND OCCUPANCY.—

2 “(1) NOTICE.—The Secretary shall notify all
3 owners of improved property referred to in sub-
4 section (b)(1) who have retained a right of use and
5 occupancy pursuant to subsection (b) of their right
6 to extend such right pursuant to this subsection.

7 “(2) ELECTION.—Any owner notified under
8 paragraph (1) may elect, within 180 days of receiv-
9 ing notice pursuant to paragraph (1), to extend his
10 or her right of use and occupancy beyond the other-
11 wise applicable termination date. Such extension
12 shall terminate on the date 99 years after the date
13 of enactment of this Act.

14 “(3) CONDITIONS.—Any extension under this
15 subsection shall be subject to subsections (c) and (d)
16 in the same manner and to the same extent as is a
17 retained right under subsection (b), except that ter-
18 mination of the extension by the Secretary shall take
19 effect only after 180 days after the Secretary has
20 notified the person holding the extension of the Sec-
21 retary’s intention to terminate the extension. Any
22 extension under this subsection shall be conditioned
23 upon the annual payment by person to whom such
24 extension is issued of an amount determined in ac-

1 cordance with paragraph (4). Any such extension
2 shall also be conditioned upon the following:

3 “(A) An agreement by the person to whom
4 such extension is issued to assume all respon-
5 sibilities for maintenance, repair, and replace-
6 ment of all improvements located on the prop-
7 erty concerned and to indemnify and hold
8 harmless the United States for any liability
9 which may arise in connection with such prop-
10 erty.

11 “(B) An agreement by the person to whom
12 such extension is issued to make pro rata pay-
13 ments to local governments providing services
14 to persons residing within the boundaries of the
15 lakeshore in such reasonable amounts and at
16 such times as may be determined by such local
17 governments in order to reimburse such local
18 governments for the costs of providing such
19 services.

20 “(4) AMOUNT.—The amount of each payment
21 to be made by a person under paragraph (3) shall
22 be such person’s annual pro rata share of an amount
23 determined according to a formula where the numer-
24 ator is the value of the property used or occupied by
25 such person at the time of its acquisition by the

1 United States and the denominator is the number of
2 years for which the extension is issued. Notwith-
3 standing sections 1341 and 3302 of title 31 of the
4 United States Code, such annual payments shall be
5 retained by the Secretary and shall be available for
6 use by the Secretary without further appropriation
7 for purposes of maintenance and administration of
8 the national lakeshore.”.

9 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
10 Section 10(c) of such Act is amended by striking “many”
11 and inserting “may”. Section 11(a)(2) of such Act is
12 amended by striking “section 10(b) or (d)” and inserting
13 “section 10”.

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